



DEPARTMENT OF TRANSPORTATION'S REQUESTS FOR INTENT LANGUAGE

INFRASTRUCTURE AND GENERAL GOVERNMENT APPROPRIATIONS SUBCOMMITTEE
STAFF: BRIAN WIKLE

ISSUE BRIEF

The nonlapsing intent language for FY 2017 and other intent language requested by the Department of Transportation are shown below. With the exception of two new requests noted below, the amounts requested in the nonlapsing intent language are the same as the amounts authorized by the Legislature for FY 2016 in [S.B. 3](#), 2016 General Session (see Items 34-36 and 38-40). The other intent language requested is the same as authorized by the Legislature in [H.B. 2](#), 2016 General Session (see Items 21-23 and 25-27).

NONLAPSING INTENT LANGUAGE

Support Services

Under terms of Utah Code Annotated Section 63J-1-603(3)(a), the Legislature intends that appropriations provided for Support Services in Item 2, Chapter 9, Laws of Utah 2016, shall not lapse at the close of FY 2017. Expenditures of these funds are limited to computer software development projects: \$300,000; and building improvements: \$500,000.

Engineering Services

Under terms of Utah Code Annotated Section 63J-1-603(3)(a), the Legislature intends that appropriations provided for Engineering Services in Item 3, Chapter 9, Laws of Utah 2016, shall not lapse at the close of FY 2017. Expenditures of these funds are limited to engineering services special projects: \$300,000.

Operations/Maintenance Management

Under terms of Utah Code Annotated Section 63J-1-603(3)(a), the Legislature intends that appropriations provided for Operations/Maintenance Management in Item 4, Chapter 9, Laws of Utah 2016, shall not lapse at the close of FY 2017. Expenditures of these funds are limited to highway maintenance: \$2,000,000.

(New request) Under terms of Utah Code Annotated Section 63J-1-603(3)(a), the Legislature intends that any unexpended funds from the one-time appropriation of \$6,000,000 from the Transportation Fund to Operations/Maintenance Management in Item 20, Chapter 395, Laws of Utah 2016, shall not lapse at the close of FY 2017. Expenditures of these funds are limited to avalanche control.

(New request) Under terms of Utah Code Annotated Section 72-5-111(1)(d), the Legislature allows that the proceeds from the sale of a maintenance facility may be used by the department for the purchase or improvement of another maintenance facility. The department received \$1,102,700 from a sale of the Cottonwood Heights shed that will be used in FY 2018; the Legislature intends that these funds shall not lapse at the close of FY 2017.

Region Management

Under terms of Utah Code Annotated Section 63J-1-603(3)(a), the Legislature intends that appropriations provided for Region Management in Item 6, Chapter 9, Laws of Utah 2016, shall not lapse at the close of FY 2017. Expenditures of these funds are limited to region management: \$200,000.

Equipment Management

Under terms of Utah Code Annotated Section 63J-1-603(3)(a), the Legislature intends that appropriations provided for Equipment Management in Item 7, Chapter 9, Laws of Utah 2016, shall not lapse at the close of FY 2017. Expenditures of these funds are limited to equipment purchases: \$200,000.

Aeronautics

Under terms of Utah Code Annotated Section 63J-1-603(3)(a), the Legislature intends that any unexpended funds from the one-time appropriation of \$5,000,000 from the Aeronautics Restricted Account to Airport Construction in Item 22, Chapter 282, Laws of Utah 2014, shall not lapse at the close of FY 2017. Expenditures of these funds are limited to airport construction projects.

OTHER INTENT LANGUAGE

Operations/Maintenance Management

The Legislature intends that upon completion of the FY 2017 winter maintenance, unused fund in the Operations/Maintenance Management line item may be used by the Department of Transportation to meet unmet equipment needs.

The Legislature intends that the Department of Transportation use maintenance funds previously used on state highways that now qualify for Transportation Investment Funds of 2005 to address maintenance and preservation issues on other state highways.

Construction Management

There is appropriated to the Department of Transportation from the Transportation Fund, not otherwise appropriated, a sum sufficient but not more than the surplus of the Transportation Fund, to be used by the department for the construction, rehabilitation, and preservation of State highways in Utah. The Legislature intends that the appropriation fund first, a maximum participation with the federal government for the construction of federally designated highways, as provided by law, and last the construction of State highways, as funding permits. No portion of the money appropriated by this item shall be used either directly or indirectly to enhance the appropriation otherwise made by this act to the Department of Transportation for other purposes.

Safe Sidewalk Construction

The Legislature intends that the funds appropriated from the Transportation Fund for pedestrian safety projects be used specifically to correct pedestrian hazards on State highways. The Legislature also intends that local authorities be encouraged to participate in the construction of pedestrian safety devices. The appropriated funds are to be used according to the criteria set forth in Section 72-8-104, Utah Code Annotated, 1953. The funds appropriated for sidewalk construction shall not lapse. If local governments cannot use their allocation of Sidewalk Safety Funds in two years, these funds will be available for other governmental entities which are prepared to use the resources. The Legislature intends that local participation in the Sidewalk Construction Program be on a 75% state and 25% local match basis.

Mineral Lease

The Legislature intends that the funds appropriated from the Federal Mineral Lease Account shall be used for improvement or reconstruction of highways that have been heavily impacted by energy development. The Legislature further intends that if private industries engaged in developing the State's natural resources are willing to participate in the cost of the construction of highways leading to their facilities, that local governments consider that highway as a higher priority as they prioritize the use of Mineral Lease Funds received through 59-21-1(4)(C)(i). The funds appropriated for improvement or reconstruction of energy impacted highways are nonlapsing.

Transportation Investment Fund Capacity Program

There is appropriated to the Department of Transportation from the Transportation Investment Fund of 2005, not otherwise appropriated, a sum sufficient, but not more than the surplus of the Transportation Investment Fund of 2005, to be used by the department for the construction, rehabilitation, and preservation of State and Federal highways in Utah. No portion of the money appropriated by this item shall be used either directly or indirectly to enhance or increase the appropriations otherwise made by this act to the Department of Transportation for other purposes.